



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2301291

Applicant Name: Brittani Ard

Address of Proposal: 6017 17th Ave NW.

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two (2) lots (unit subdivision). Proposed lot sizes are: A) 2,918.3 square feet and B) 2,080.7 square feet. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. Related project: establish use as and construct one (1) single family dwelling, with the existing single family structure to remain and occupy per plans, all reviewed under MUP No. 2208193.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two lots as a unit subdivision.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 5,000 square foot property is located at the southwest corner of the intersection of NW 61st St and 17th Ave NW in the Crown Hill/Ballard area of North Seattle. Access to the site is via NW 61st St and 17th Ave NW, which are paved and improved with concrete curbs, gutters, planter strips and sidewalks on both sides of the street. Vehicle access will be from NW 61st St, via two (2) ten (10') foot curb cuts that provide access to the single family dwellings. The parcel is not located in any identified or designated Environmentally Critical Area.

The subject property and surrounding lots are zoned Multi-family Lowrise Duplex/Triplex (LDT). Development in the area consists of one and two-story single-family dwellings and small multi-family structures, consistent with the zoning.

Proposal Description

The proposal is to subdivide one parcel into two unit subdivision lots with vehicle access provided from NW 61st St (north of property). Vehicle access to the proposed lots and future dwelling units will be via two (2) ten (10') foot wide curb cuts that give access to the garages within each single family dwelling. Each single family dwelling will have parking within the structure. Proposed lot sizes are as indicated in the summary above. Lots A and B have direct pedestrian access to NW 61st St. Unit lot A also has direct pedestrian access to 17th Ave NW.

Note that the construction of the proposed single-family home has been reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate permit Master Use Permit No. 2208193. The subject of this analysis and decision is only the proposed division of land.

Public Comments

The comment period for this proposal ended on April 30th, 2003. During the public comment period, DCLU received no written comments related to this project.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for multi-family residential use. The allowable density of the subject property is one (1) unit per 2,000 square feet of lot area. Given an approximate lot area of 5,000 square feet, three (3) units are allowed and two (2) are proposed. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, the maximum setback is twenty (20) feet and the minimum is five (5) feet. In this case, the front setback was already established by the existing house, which was built in 1938, prior to the current setback standards of the Land Use Code. The required side setback is based on the height of the structure(s) adjacent to the side property line. Further, the subject property is a reverse corner lot and a minimum street side setback of ten (10') feet is required. Rear setback is twenty (20) feet or twenty (20) percent of the lot depth, in no case less than fifteen (15) feet. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The lots are provided vehicular access to the lots via two (2) ten-foot wide ingress egress curb cuts, consistent with the requirements of the Code. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement for electrical facilities and service to the proposed lots plat. Thus, this short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on April 4th, 2003 (WAC ID No. 2003-0353). There is an eight-inch (8") public combined sewer (PS) located in NW 61st St that is

available for sanitary discharge from either of the proposed unit lots. DCLU records indicate that the sidesewer from the existing single family dwelling crosses under proposed Unit Lot B and easements shall be executed. A public storm drain serves the site for proper water discharge for proposed Unit Lot B. There is a standard eight (8") inch water main in NW 61st St that serves the site for proper water service. Plan review requirements were made at the time of building permit review.

4. The proposed short subdivision is consistent with and will meet all minimum Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.
5. This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.
6. The survey indicates that there is one (1) tree, a fourteen (14") inch Ash tree on the southern property line and it is located away from the development area and will be preserved. Thus, the provision requiring that the subdivision be designed to maximize the retention is met. Further, SMC (23.45.015-C) requires that when new lowrise dwelling units are constructed, trees must be either planted or preserved. The number of trees required is a proportion of lot size, which was reviewed for consistency under MUP No. 2208193.
7. The applicant proposes the construction of a single family residence on the subject site, with the existing single family structure to remain. Pursuant to SMC 23.24.045(A&B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to non-conformities, the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Policies and Code Provisions has been reviewed under Master Use Permit Number 2208193. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would

create any nonconformity of proposed Lots A and B are also not permitted. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas, driveway and pedestrian access if necessary. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

The lots to be created by this unit subdivision may not individually meet all of the zoning requirements for the Lowrise Duplex/Triplex zone, including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole does meet all standards of the set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Building permit application #2208193 must be issued prior to recording.
2. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements; fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
3. Submit the final recording forms for approval and any necessary fees.
4. Execute an easement for the existing sidesewer for the house addressed at 6017 17th Ave NW, as it lies beneath proposed Unit Lot B; or, replace the existing sidesewer with a

sidesewer that does not cross proposed Unit Lot B. Verification of the replacement shall be by a finalized sidesewer permit.

5. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
6. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements, if necessary.

Signature: (signature on file) Date: May 12, 2003
Lucas DeHerrera, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services